


**DELEGATION OF AUTHORITY
SOLID WASTE DISPOSAL ACT (SWDA)**

Closures and Equivalency Determinations

1. **AUTHORITY.**
 - a. The authority delegated to the Regional Administrator by 40 C.F.R. Part 264, Subpart G; Part 265, Subpart G; and Section 270.1(c)(5) and (6).
 - b. The authority to receive closure and post-closure plans and amended closure and post-closure plans, approve or disapprove closure and post-closure plans, and approve requests for modifications of closure and post-closure plans submitted pursuant to the requirements of 40 C.F.R. Part 264, Subpart G, or Part 265, Subpart G.
 - c. The authority to receive requests and petitions for closure equivalency determinations and additional information supporting closure equivalency determinations and to make final determinations of closure equivalency under 40 C.F.R. § 270.1(c)(5) and (6).
 - d. The authority to defend any closure plan and post-closure plan approval or disapproval or modification request approval and to participate in evidentiary hearings held before an EPA administrative law judge under 40 C.F.R. Part 124.
2. **TO WHOM DELEGATED.**
 - a. The authorities specified in 1.a. - 1.c. are delegated to the Directors, Office of Air and Waste or equivalent and Office of Compliance and Enforcement or equivalent.
 - b. The authorities specified in 1.d. are delegated to attorneys in the Office of Regional Counsel.
 - c. Each person to whom authority is delegated or redelegated retains the authority.
3. **LIMITATIONS.** Approval of the form, text, and legal sufficiency of each legally operative document issued under sections 1.a. and 1.b. must be obtained from the Office of Regional Counsel before the document is issued.
4. **REDELEGATION AUTHORITY.** These authorities may not be redelegated.

5. SUPERSESSION. This delegation supersedes delegation R10 8-0 (05/28/2004) and any other delegation of the same authority.
6. REFERENCES.
 - a. 40 C.F.R. Part 124.
 - b. 40 C.F.R. Part 264, Subpart G; Part 265, Subpart G; and Sections 270.1(c)(5) and (6).
 - c. 40 C.F.R. Part 265, Subpart G.
 - d. RCRA sections 3004 and 3005, 42 U.S.C. §§ 6924 and 6925.

7/11/16
Date


Dennis J. McLerran
Regional Administrator